

Atty. Dkt. No. 00CR063/KE

RECEIVED
CENTRAL FAX CENTER

JUL 12 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitchell, James P.

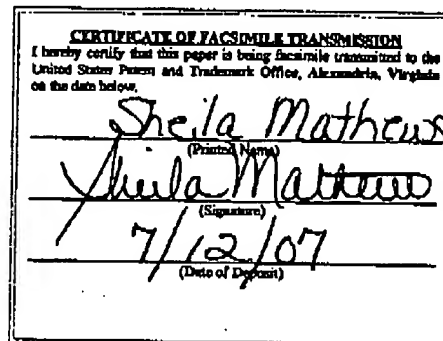
Title: COMMUNICATION SYSTEM
AND METHOD FOR A MOBILE
PLATFORM

Appl. No.: 09/493,472

Filing Date: 01/28/2000

Examiner: Lambrecht, Christopher M.

Art Unit: 2611

**DECLARATION UNDER 37 C.F.R. § 1.131**Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, James P. Mitchell, state and declare that:

1. I am the inventor of Claims 1-30 currently pending in U.S. Patent Application No. 09/493,472 titled "COMMUNICATION SYSTEM AND METHOD FOR A MOBILE PLATFORM."
2. Prior to September 27, 1999, I conceived and actually reduced to practice in the United States the ideas set forth in Claims 1-30 of the above-referenced application (as evidenced by the attached Exhibits A and B).
3. I hereby incorporate by reference my declaration filed September 27, 2006. The purpose of the present Declaration is to supplement my earlier declaration to provide additional evidence establishing conception and reduction to practice of the claimed invention prior to September 27, 1999.
4. Exhibits A (11 pages), titled "DBS Aviation Data Channel Concept," is a redacted copy of pages from a document outlining and describing the specifications and functionality of a communication and video system for a mobile platform.
5. Exhibit A is a PowerPoint presentation outlining a communication and a video system for a mobile platform (shown as an airplane). Exhibit A includes several of the drawings included in the above-referenced patent application. For example, Figure 3 of the patent application corresponds to the drawing shown on page 3 of Exhibit A,

MILW_2444724.1

-1-

Atty. Dkt. No. 00CR063/KE

Figure 6 of the patent application corresponds to the drawing shown on page 4 of Exhibit A, Figure 7 of the patent application corresponds to the drawing shown on page 6 of Exhibit A, Figure 8 of the patent application corresponds to the drawing shown on page 7 of Exhibit A and Figures 11 and 12 of the patent application correspond to the drawing shown on page 2 of Exhibit A.

6. I created Exhibit A in the United States prior to September 27, 1999.
7. Exhibit B (3 pages), titled "ATC DBS Technology Demonstration," is a redacted copy of pages from a document outlining and describing the demonstration of a communication and video system for a mobile platform.
8. I created Exhibit B in the United States prior to September 27, 1999.
9. The demonstration documented in Exhibit B was conducted in the United States.
10. The demonstration documented in Exhibit B involved a system that corresponded to the subject matter claimed in the present application. In particular, the demonstrated system was a communication and a video system suitable for use with a mobile platform (e.g., an airplane). The demonstrated system included a server configured to be located at a docking area (e.g., a gate) for the mobile platform, a wireless docking area transceiver, a first satellite receiver and a first storage unit. The server stored order wire data received by the first satellite receiver and stored video data received by the first satellite receiver in the storage unit in response to the order wire data. The demonstrated system further included a second satellite receiver, a wireless platform transceiver and a second storage unit configured to be located on the mobile platform. The wireless platform transceiver received the order wire data and the video data from the wireless docking area. The second storage unit stored video data for playback and stored the order wire data. The order wire data controlled a source of video for playback of a program. As such, the subject matter claimed in the above-referenced patent application was demonstrated operational by this demonstration.
11. The demonstration documented in Exhibit B took place on June 29-30, 1999.
12. Sometime between July 1999 and January 2000, an invention disclosure relating to the above-referenced patent application was submitted by my employer, Rockwell Collins, Inc., to the law firm of Foley & Lardner LLP.
13. On January 11, 2000, Joseph N. Ziebert sent a draft of the above-referenced patent application to me as indicated in the cover letter attached hereto as Exhibit C.
14. On January 18, 2000, Joseph N. Ziebert advised Kyle Eppel that the above-referenced patent application was ready for filing as indicated in the cover letter attached hereto as Exhibit D.
15. On January 28, 2000, the above-referenced patent application was filed with the United States Patent and Trademark Office.

MILW_2444724.1

-2-

Atty. Dkt. No. 00CR063/KE

16. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application or any patent issuing therefrom.

Date: July 11, 2007By: 

James P. Mitchell

MLW_2444724.1

-3-

DBS Aviation Data Channel Concept

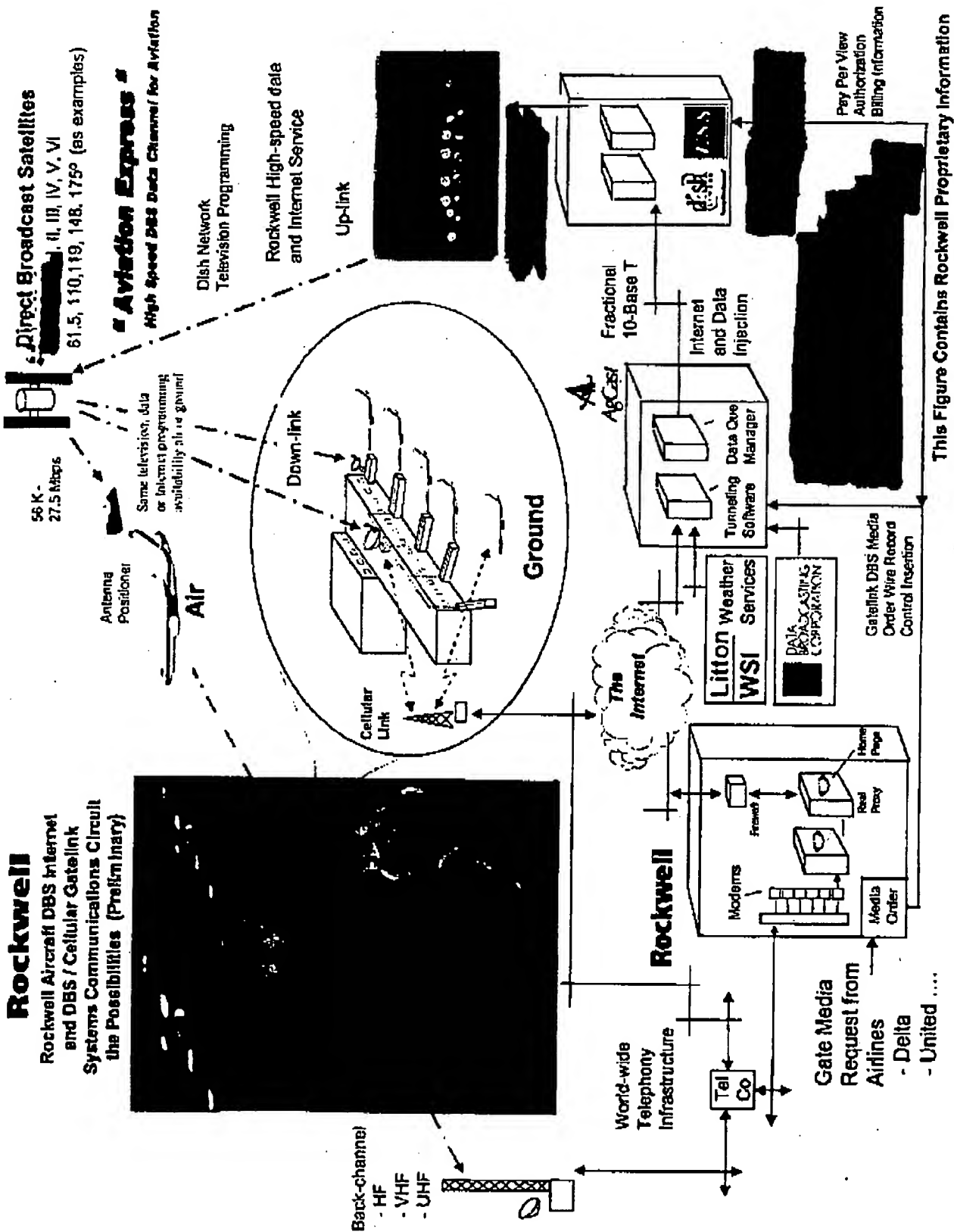
***Advanced Technology Center
Internet ATD Demonstration***

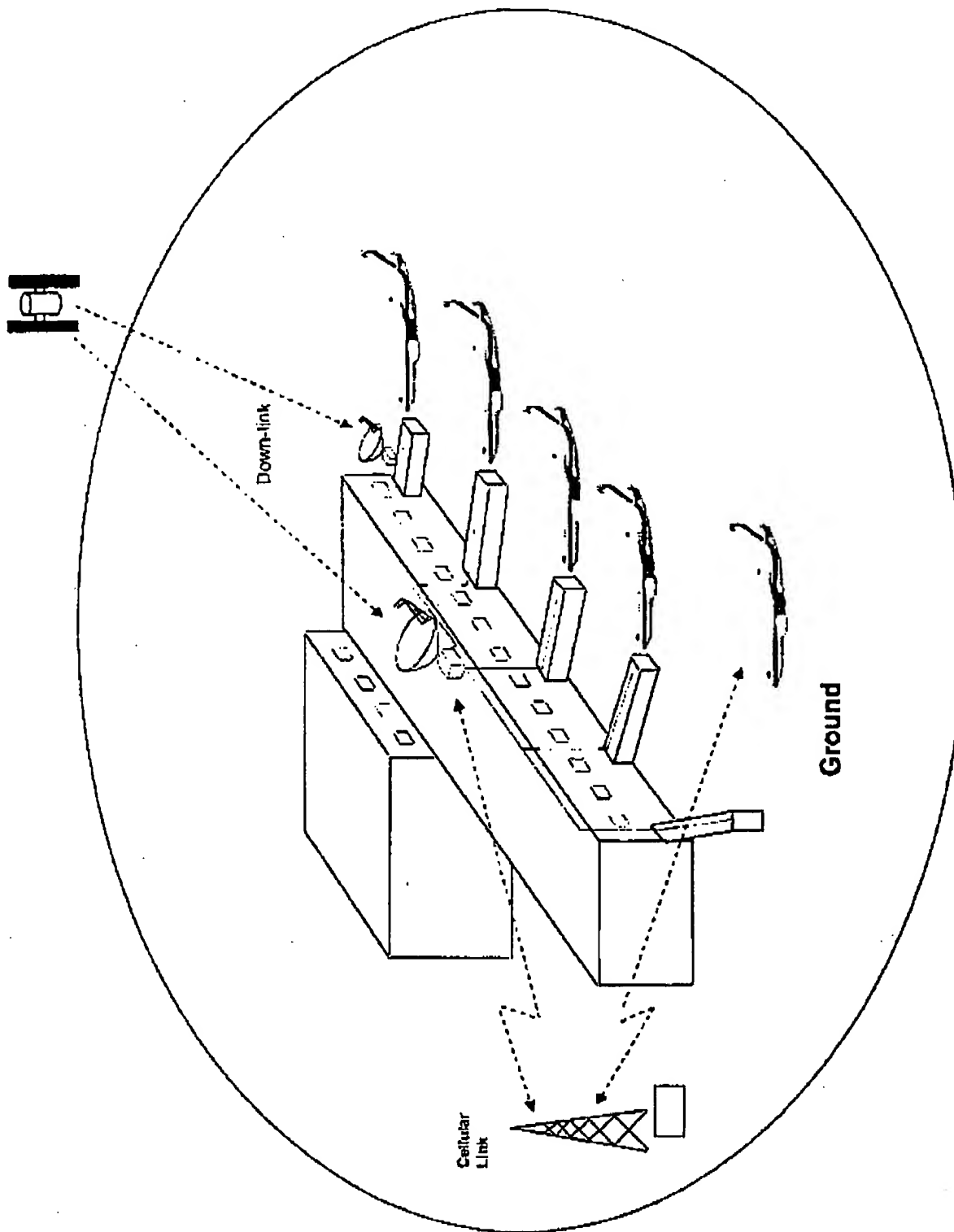
Company Proprietary

Rockwell

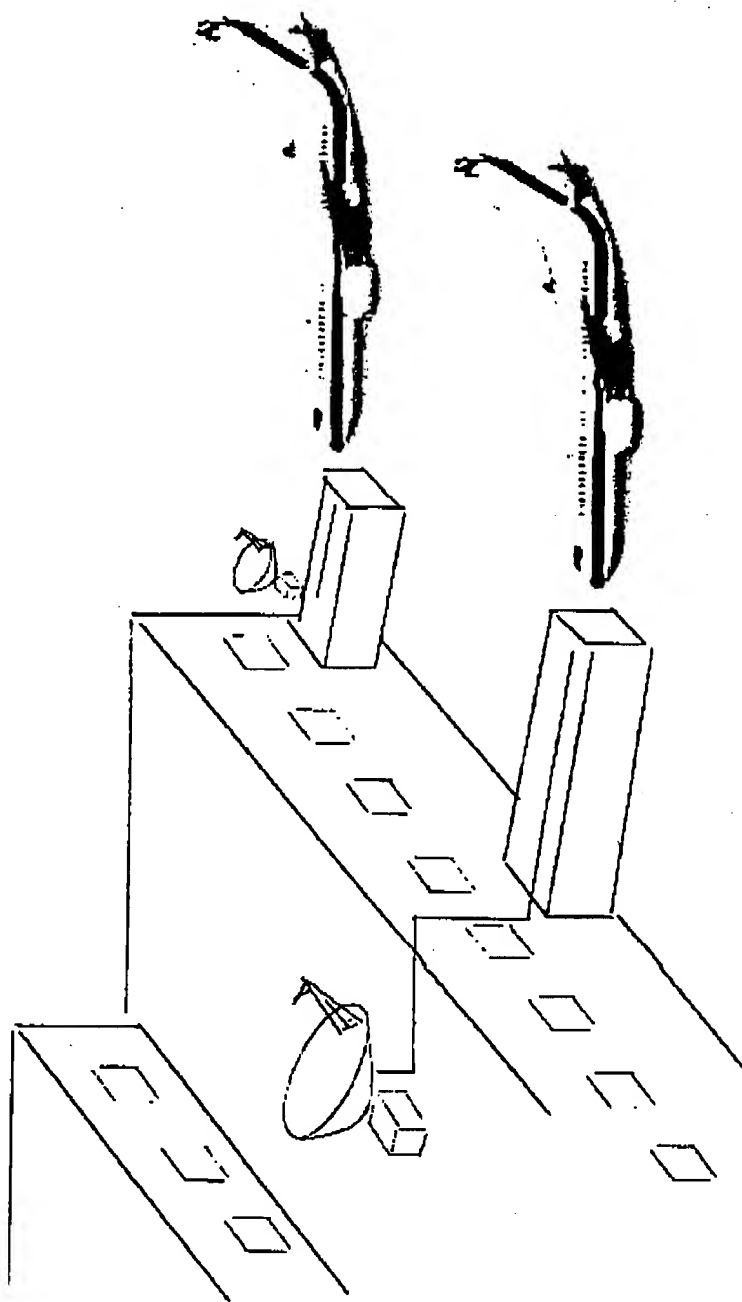




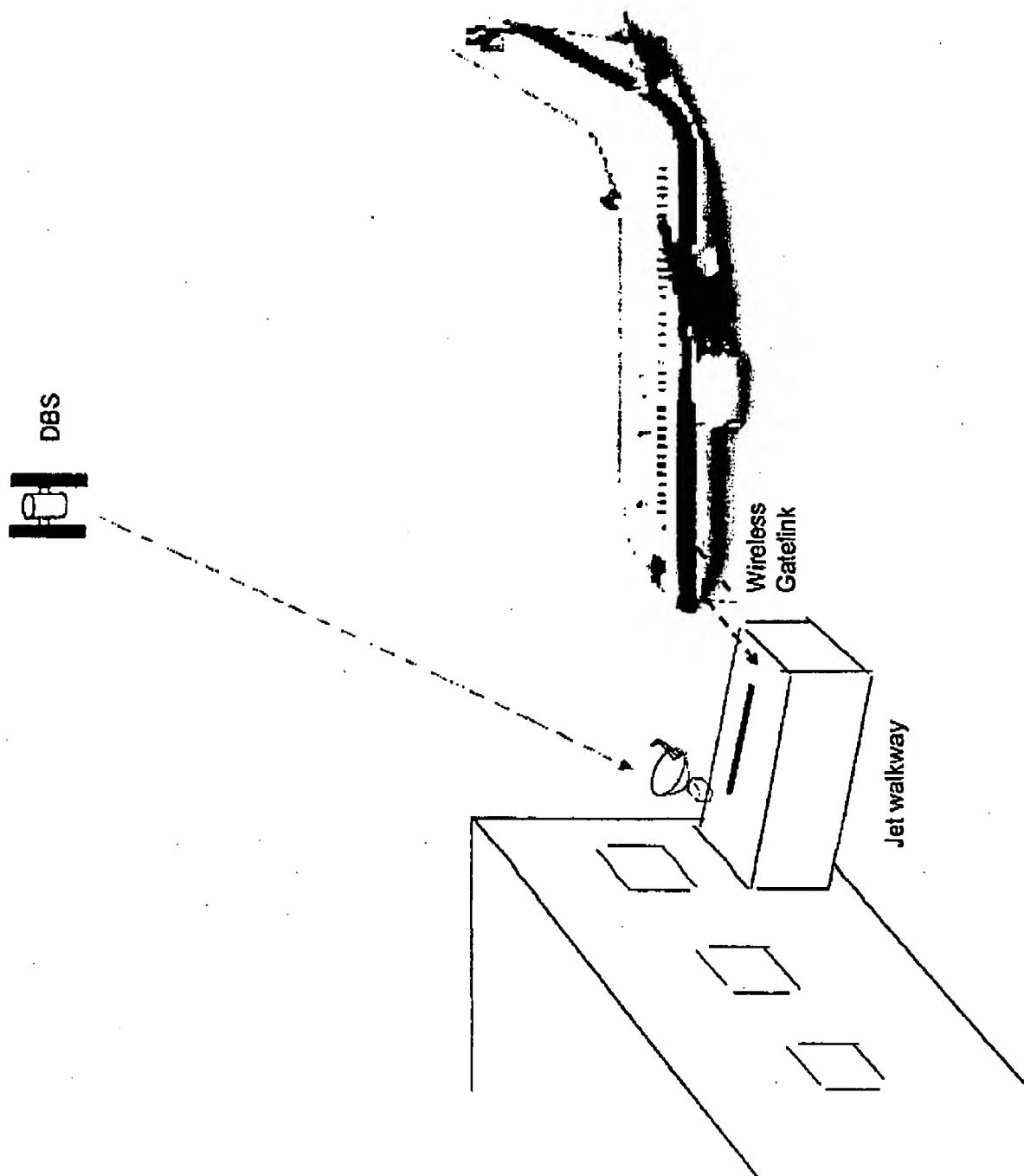




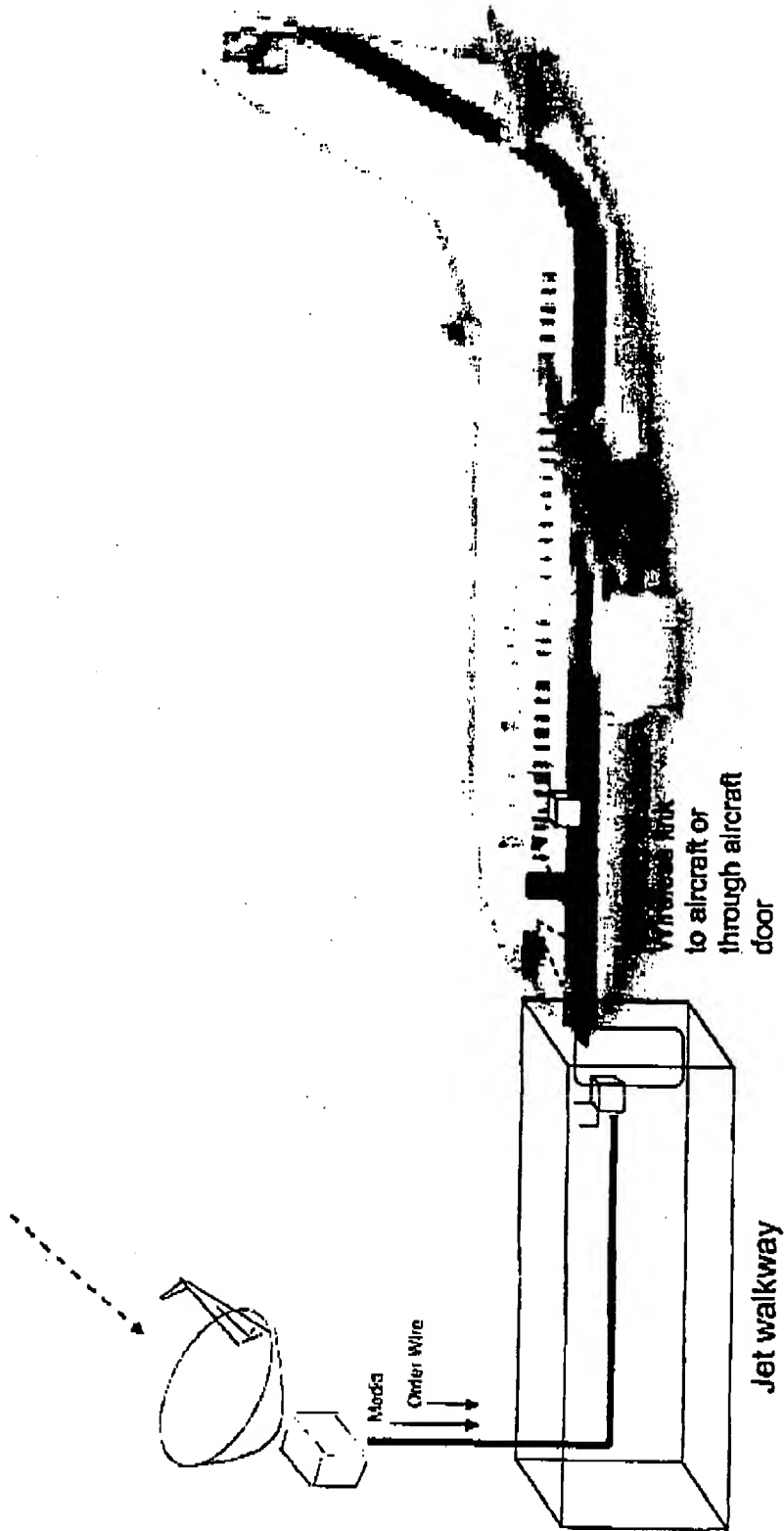
This Figure Contains Rockwell Proprietary Information



This Figure Contains Rockwell Proprietary Information



This Figure Contains Rockwell Proprietary Information



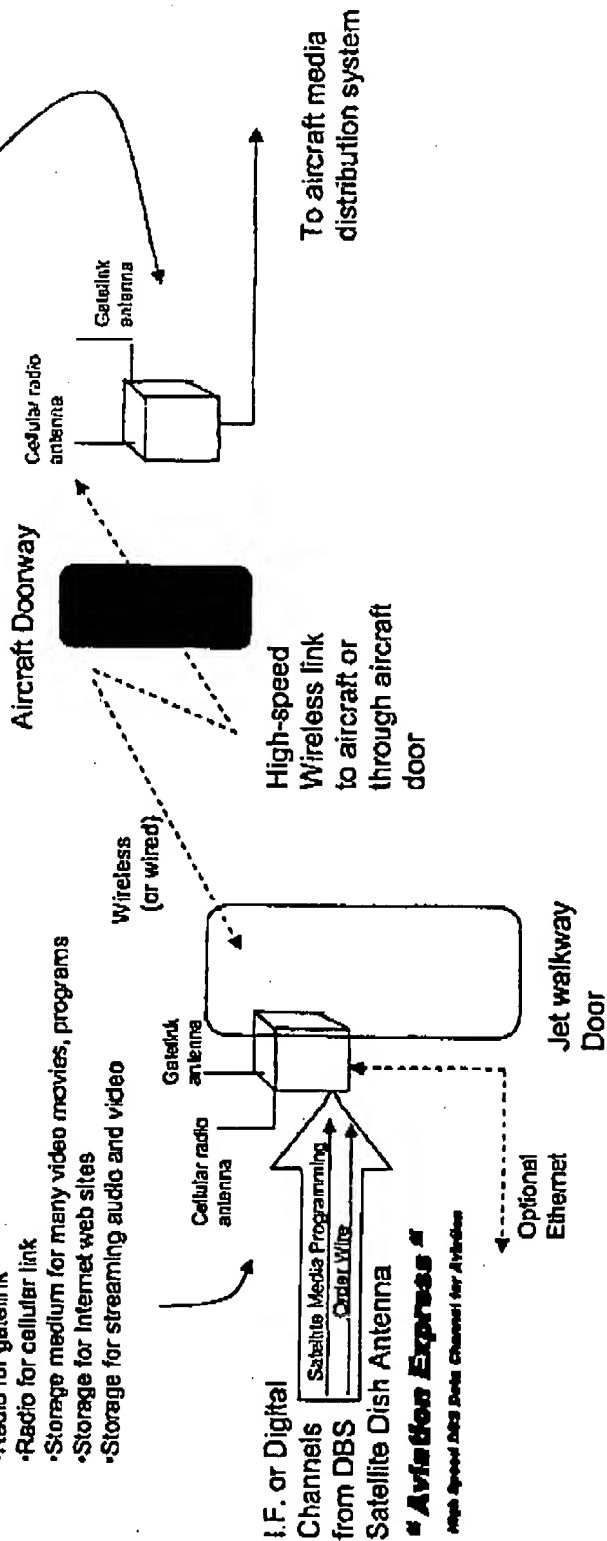
This Figure Contains Rockwell Proprietary Information

Aircraft Gatelink Media File Server may include:

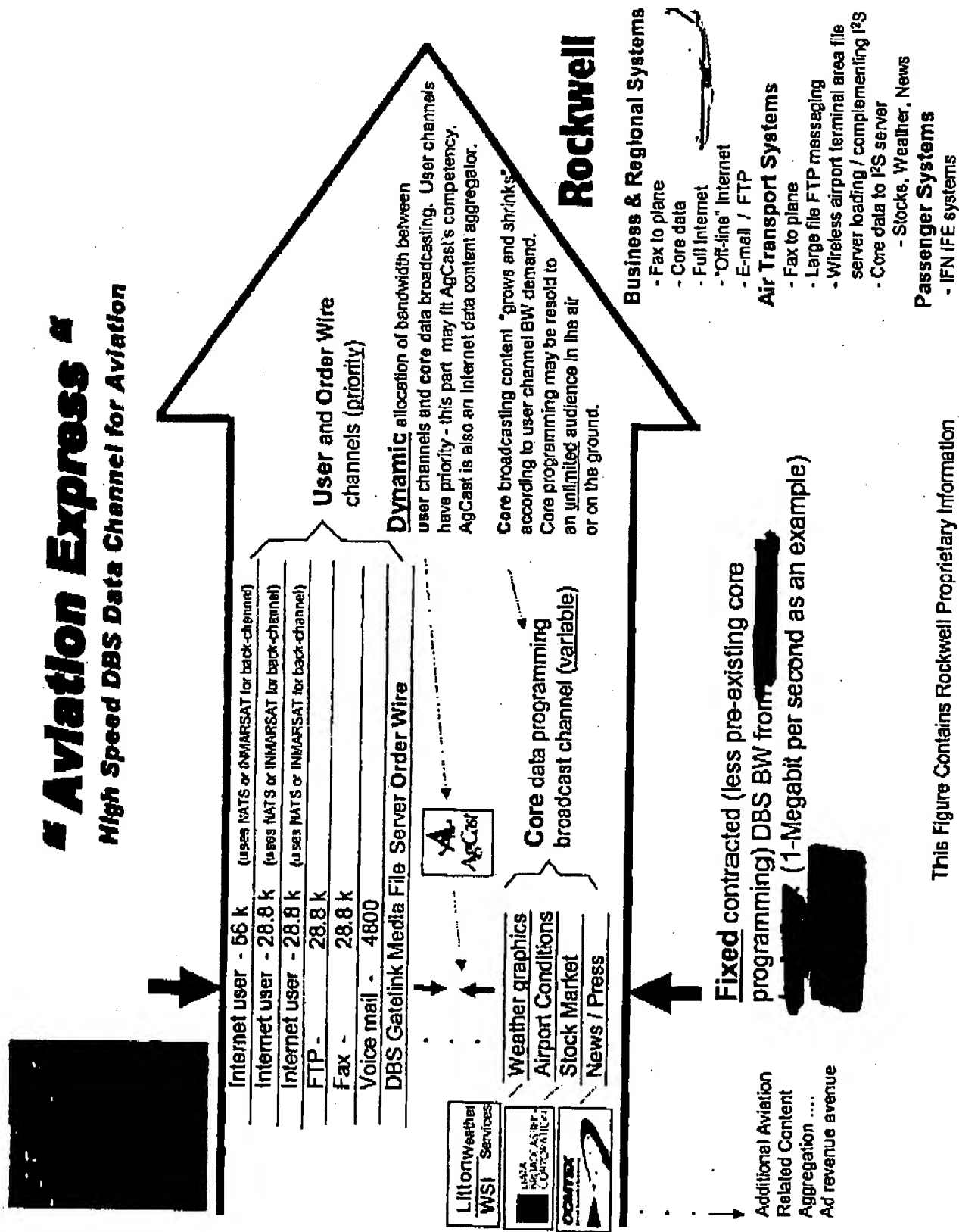
- Radio for gatelink
- Radio for cellular link
- Storage medium for movies from gatelink
- Storage medium for Internet web sites
- Storage for audio and video

Gatelink Media File Server may include:

- Radio for gatelink
- Radio for cellular link
- Storage medium for many video movies, programs
- Storage for Internet web sites
- Storage for streaming audio and video



This Figure Contains Rockwell Proprietary Information

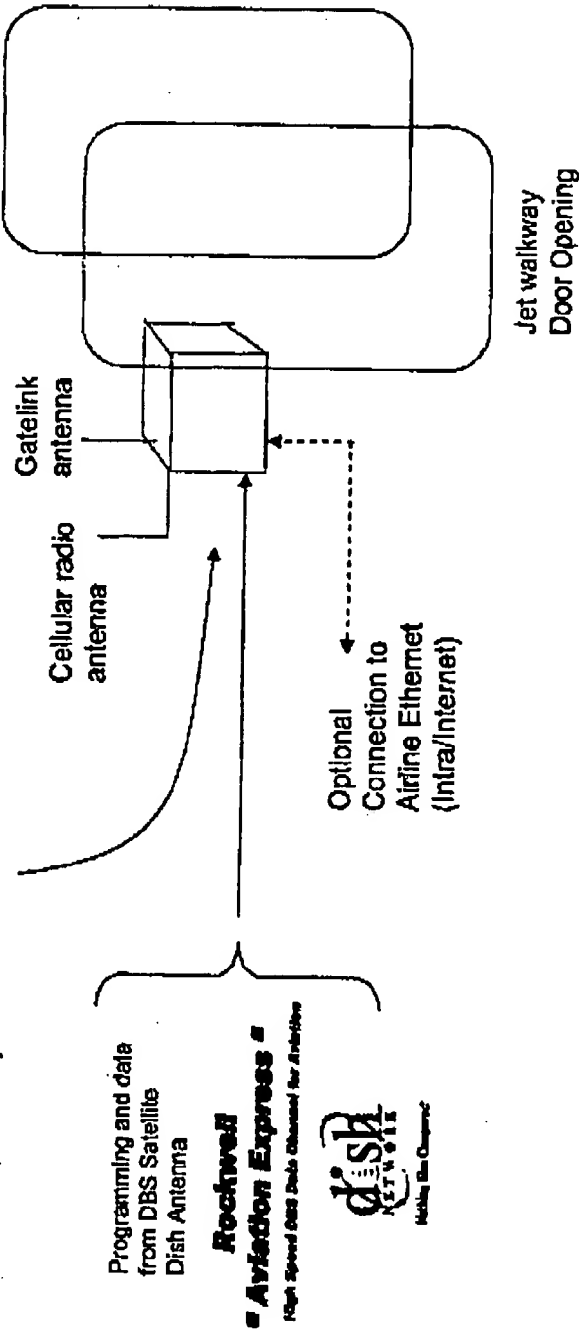


This Figure Contains Rockwell Proprietary Information

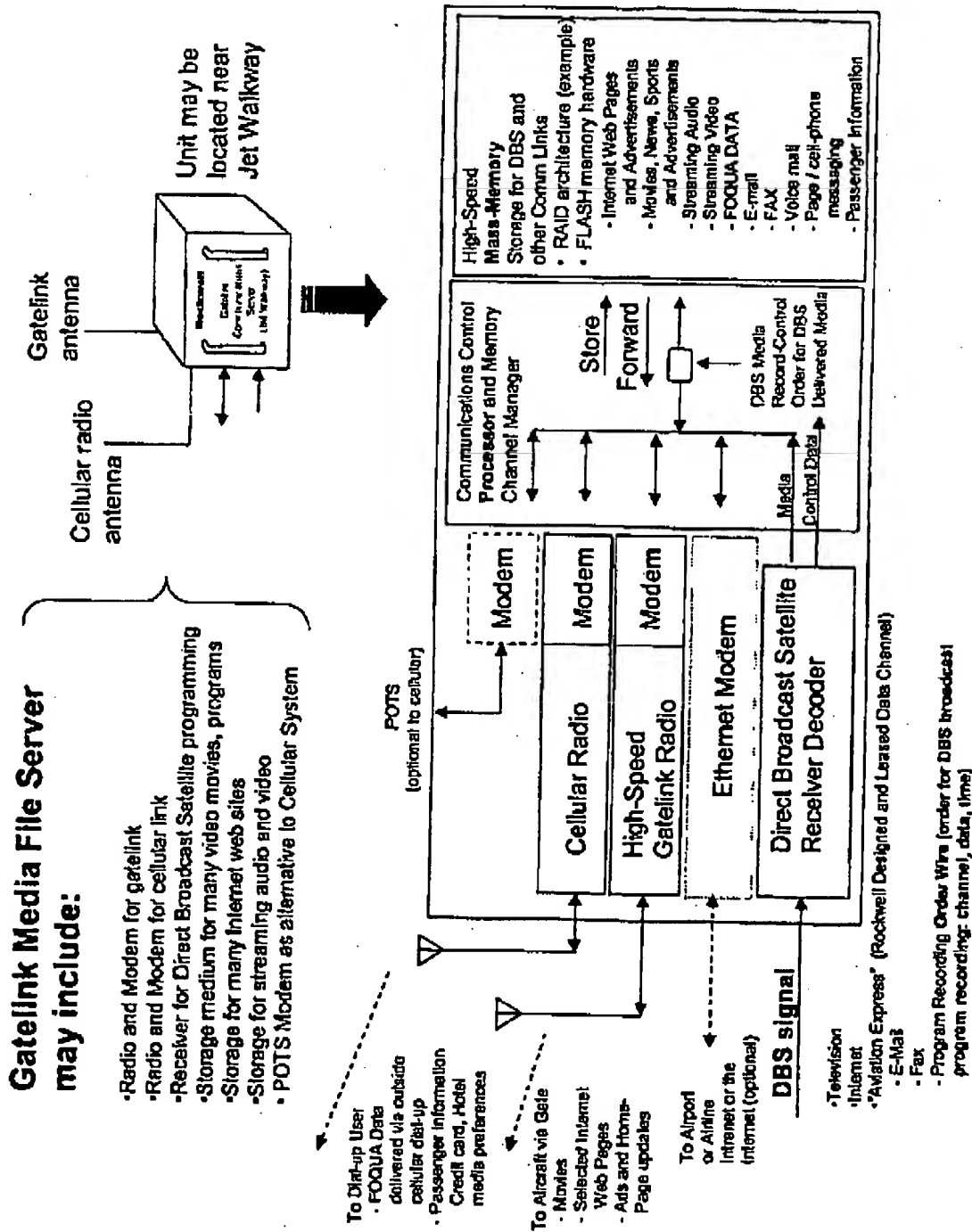
Gatelink Media File Server

may include:

- Radio for gatelink
- Radio for cellular link
- Modem connection to Ethernet (optional)
- Storage medium for many video movies, programs
- Storage for Internet web sites
- Storage for streaming audio and video
- Unit may be located within jet-walkway or in airport terminal or with DBS antenna
- Antenna for high-speed wireless gatelink ideally located at jet walkway door



This Figure Contains Rockwell Proprietary Information



This Figure Contains Rockwell Proprietary Information

ATC DBS Technology Demonstration

Multi-regional Antenna
Interactive Internet, High-Speed Data, and TV

Demonstrated

Rockwell Proprietary



Demonstrated Operational

True

Interactive Internet
(requires back-channel)

- PC Laptop
- Browsing the Web
- using Standard
- MS Internet Explorer
- Microsoft
- Yahoo
- @MarketWatch

Dedicated High-Speed Data

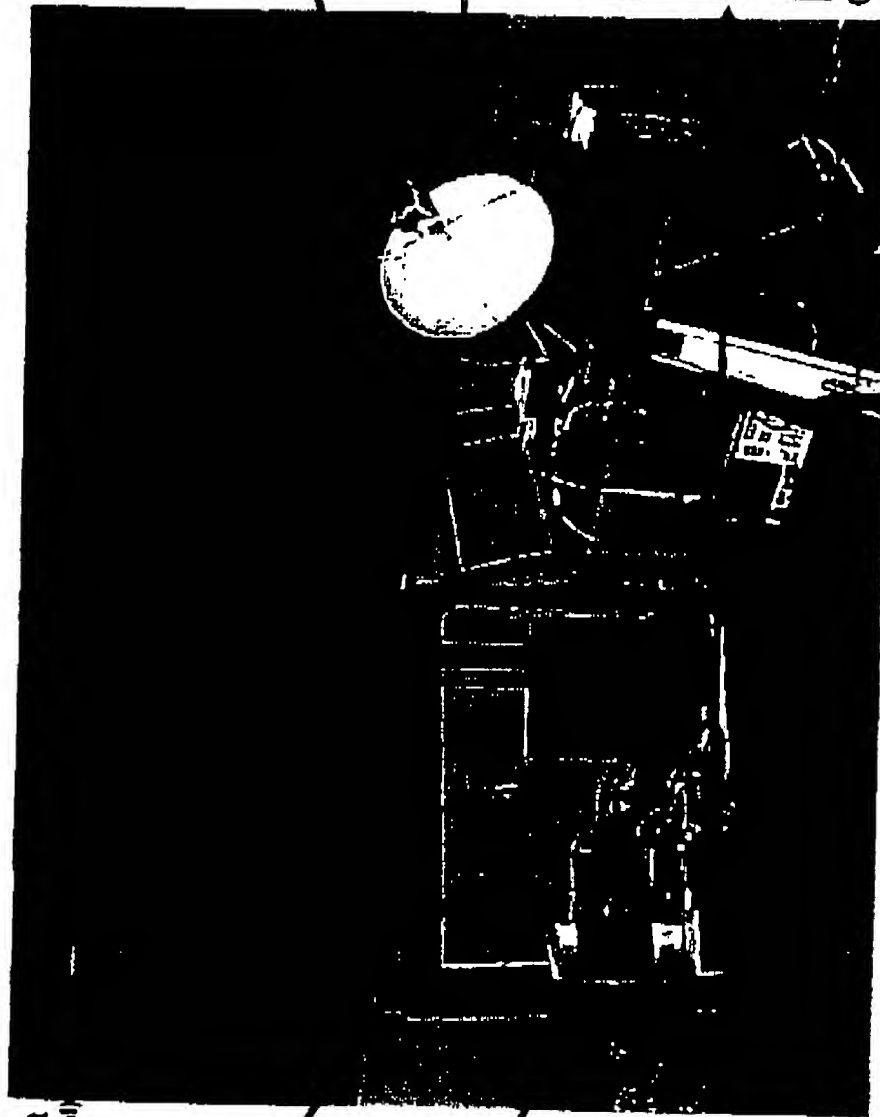
(no back-channel reqd.)
PC Laptop or server

- capturing dedicated data.
- "Aviation Express"
- WSI-Litton Weather
- Radar maps
- Stocks
- Sports
- Comtex Press
- Releases

Ruggedized COTS

entitled receiver
decoder unit
with data interface

Interactive Internet Data, and/ or Dedicated Custom
High-Speed Data 19.2 - 56 kbps NOW, Commercial
broadcast speeds from 1 to 27.5 Mbps coming soon



Channel 552 delivers our custom Internet capability / data via High-Speed
data Network () - client
PC and up-link communications software developed by

Low Noise
Amplifiers

11.6"

Multi-regional
dish antenna
pointed at
commercial
Ku-band satellite

Card fits into
Passenger Systems
7- channel MRDU

This Figure Contains Rockwell Proprietary Information

Demonstrated
Operational

Same System Simultaneously Receiving Television - (pointed at same Ku-band satellite)

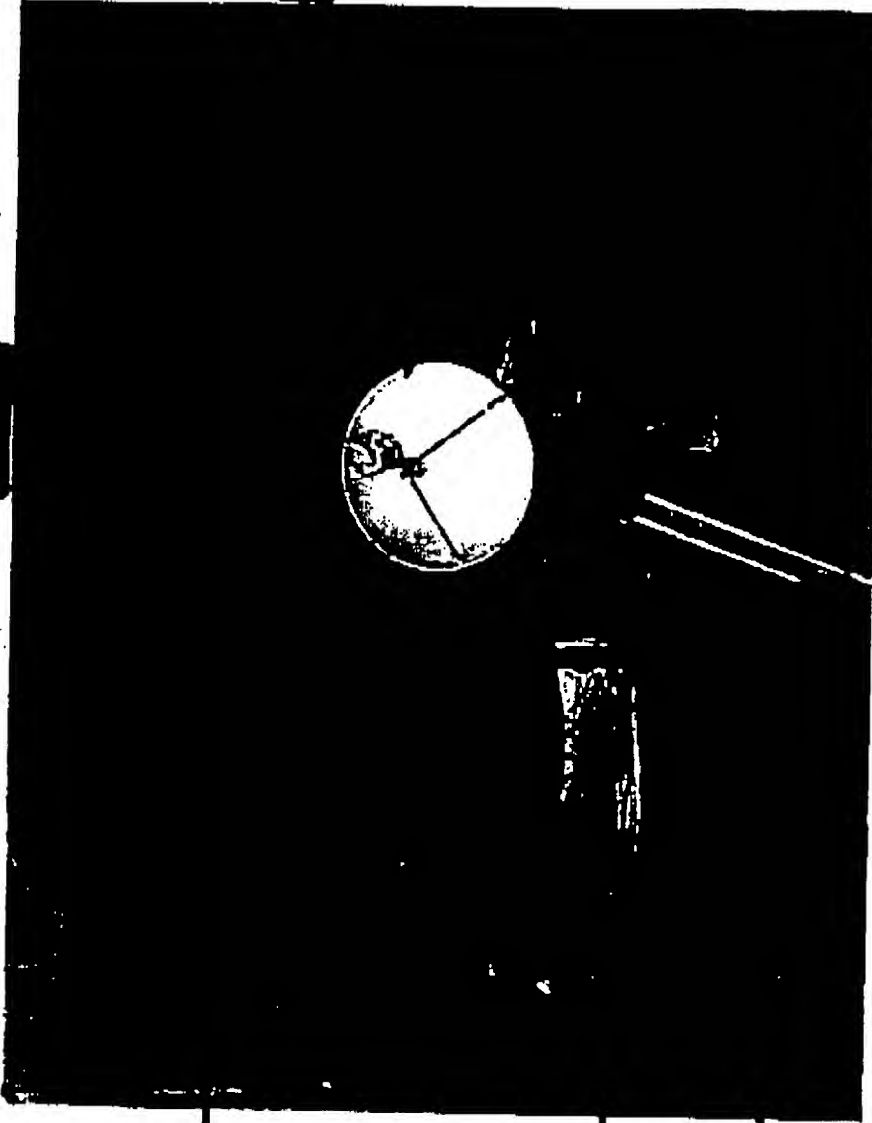
Example Live
CNN/n News
Channel



Ruggedized COTS
entitled receiver
decoder unit
with patented
data interface



Same card functions for TV and
data fits into Passenger Systems
7- channel MRDU



11.6°

Multi-regional
dish antenna
pointed at
commercial
Ku-band satellite

This Figure Contains Rockwell Proprietary Information

FOLEY & LARDNER

CHICAGO
DENVER
JACKSONVILLE
LOS ANGELES
MADISON
MILWAUKEE
ORLANDO

ATTORNEYS AT LAW
FIRSTSTAR CENTER
777 EAST WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202-5307
TELEPHONE (414) 271-2400
FACSIMILE (414) 297-4900

SACRAMENTO
SAN DIEGO
SAN FRANCISCO
TALLAHASSEE
TAMPA
WASHINGTON, D.C.
WEST PALM BEACH

WRITER'S DIRECT LINE
(414) 297-5768

EMAIL ADDRESS
JZiebert@foleylaw.com

CLIENT/MATTER NUMBER
71815/464

January 11, 2000

VIA FEDERAL EXPRESS

James P. Mitchell
Rockwell Collins
M/S 108-207
400 Collins Road, NE
Cedar Rapids, IA 52498

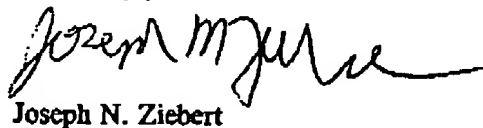
Re: First Draft of Patent Application
COMMUNICATION SYSTEM AND METHOD FOR A MOBILE
PLATFORM
Our Docket No. 71815/464

Dear Jim:

Enclosed is a draft application for your invention disclosure. Please read the draft application to ensure that it provides an accurate and complete description of the invention. The description should be sufficiently complete to enable one of ordinary skill in the art to make and use the invention. The description must also set forth the best mode of the invention contemplated by you; important details of the invention cannot be withheld as trade secrets. Please ensure that the inventors listed on the cover page are correct.

In the meantime, if you have any questions or comments, please do not hesitate to contact me.

Very truly yours,



Joseph N. Ziebert

Enclosure(s)

cc: Kyle Eppel

001.898089.1

ESTABLISHED 1842

A MEMBER OF GLOBALLEX WITH MEMBER OFFICES IN BERLIN, BRUSSELS, DRESDEN, FRANKFURT, LONDON, SINGAPORE, STOCKHOLM AND STUTTGART



RECEIVED
CENTRAL FAX CENTER

JUL 12 2007

FOLEY & LARDNER

CHICAGO
DENVER
JACKSONVILLE
LOS ANGELES
MADISON
MILWAUKEE
ORLANDOATTORNEYS AT LAW
FIRSTAR CENTER
777 EAST WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202-5367
TELEPHONE (414) 271-2400
FACSIMILE (414) 207-4800SACRAMENTO
SAN DIEGO
SAN FRANCISCO
TALLAHASSEE
TAMPA
WASHINGTON, D.C.
WEST PALM BEACHWRITER'S DIRECT LINE
(414) 297-5768EMAIL ADDRESS
JJZiebert@foleylaw.comCLIENT/MATTER NUMBER
71815-464

January 18, 2000

Kyle Eppeler
Rockwell Collins
M/S 124-323
400 Collins Road, NE
Cedar Rapids, IA 52498Re: U.S. Patent Application for COMMUNICATION SYSTEM AND
METHOD FOR A MOBILE PLATFORM
Inventor: Mitchell
Your Reference No. 00CR063
Our Docket No. 71815-464

Dear Kyle:

Please find enclosed two copies of the final draft of the patent application and an electronic version for the above-referenced invention. Based upon our files, the inventor of this invention is James P. Mitchell. The inventor has already reviewed the draft of the application and agrees that the enclosed final draft is in condition for filing.

Please have the inventor review the final draft of the application very carefully to ensure the accuracy and sufficiency of disclosure. In reviewing the patent application the inventors should keep in mind that the detailed description of the invention must enable one person skilled in the art pertinent to the invention to make and use the invention, and must set forth the best mode contemplated by the inventor for carrying out the invention. In other words, upon reading the patent application, one skilled in the art should be able to construct and use the preferred embodiment of the invention. Additionally, to satisfy the best mode, the patent application must disclose any special features of the system which are not conventional and which assist in carrying out the invention in the best way contemplated by the inventors.

Additionally, under 37 C.F.R. § 1.56, 1.97 and 1.98 the inventors have a duty to disclose all prior art (e.g. patents, articles, advertisements) they know of which is relevant to the invention to the Patent Office. I have included all relevant prior art from our files for

001.523106.1

ESTABLISHED 1842

A MEMBER OF GLOBALEX WITH MEMBER OFFICES IN BRUSSELS, DRESDEN, FRANKFURT, LONDON, SINGAPORE, STOCKHOLM AND STUTTGART



FOLEY & LARDNER

Kyle Epple
January 18, 2000
Page 2

submission with the Patent Office. Accordingly, please submit all such prior art with the formal papers when this application is filed. As we understand, you will be responsible for filing the patent application and preparing the formal papers, in addition to, filing all foreign applications. If you would like any of the Rockwell patent applications to be placed on our docketing system for foreign filing reminder letters, please let us know immediately.

If you have any questions or comments concerning the patent application, or the enablement and best mode requirements discussed above, please call me at your convenience. Please provide us your comments at your earliest convenience.

Very truly yours,


Joseph N. Ziebert

Enclosure(s)

001.523106.1